

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

INGENIADOR, LLC

Plaintiff,

v.

CIVIL ACTION NO.: 3:11-cv-01840-GAG

ALFRESCO SOFTWARE, INC.;
INTERWOVEN, INC; BLACKBOARD,
INC.; BRIDGELINE DIGITAL, INC.; EMC
CORPORATION; HEWLETT-PACKARD
COMPANY; INFORMATICA
CORPORATION; COMPULINK
MANAGEMENT CENTER, INC.;
LEXMARK INTERNATIONAL, INC.;
MICROSOFT CORPORATION; NUXEO
CORPORATION; OBJECTIVE
CORPORATION USA, INC.; ORACLE
CORPORATION; SAP AMERICA, INC.;
SDL TRIDION, INC.; AND SPRINGCM
INC.

Defendants.

DEFENDANTS' REQUEST FOR ORAL ARGUMENT ON PENDING MOTIONS
(D.I. 96, 99, 106, 107, 110, 111, 112, 114, 116, 117, 118, 129, 137, 139, 148, 153)

This Court has before it several fully-briefed motions that have been made by the Defendants in this action. (*See* D.I. 96, 99, 106, 107, 110, 111, 112, 114, 116, 117, 118, 129, 137, 139, and 153). These docket entries correspond to essentially four motions being made by various combinations of the Defendants:

1. Motions to Dismiss Ingeniador's Complaint pursuant to Fed. R. Civ. P. 12(b)(6) by Alfresco, Compulink, EMC, Hewlett-Packard, Informatica, Interwoven, Lexmark, Microsoft, Nuxeo, Oracle, SDL Tridion, and SpringCM – D.I. 96, 111, 112, 114, 137, 139, 153.
 - a. Ingeniador responsive brief at D.I. 165.
 - b. Defendants' reply briefs at D.I. 182, 186, 189, 190, 191.
 - c. Ingeniador sur-reply brief at D.I. 213.
2. Motions to Dismiss Ingeniador's Complaint pursuant to Fed. R. Civ. P. 12(b)(2) for lack of personal jurisdiction by Blackboard, Compulink, Interwoven, SDL Tridion, and SpringCM – D.I. 106, 110, 114, 116, 139.
 - a. Ingeniador responsive brief at D.I. 167.
 - b. Defendants' reply briefs at D.I. 185, 187, 188, 190, 191.
 - c. Ingeniador sur-reply brief at D.I. 215.
3. Motions to Dismiss Ingeniador's Complaint for Improper Joinder or Sever by Alfresco, Blackboard, Compulink, EMC, Informatica, Hewlett-Packard, Lexmark, Microsoft, Oracle, SDL Tridion, and SpringCM – D.I. 99, 106, 107, 114, 117, 118, 129, 137, 139, 153.
 - a. Ingeniador responsive brief at D.I. 168.
 - b. Defendants' reply briefs at D.I. 184, 185, 189, 190, 191, 192, 194, 195.
 - c. EMC Notice of Supplemental Authority at D.I. 202.
 - d. Ingeniador sur-reply brief at D.I. 212.
4. Motions for Transfer by Compulink, EMC, and SpringCM – D.I. 99, 114, 117.
 - a. Ingeniador responsive brief at D.I. 166.
 - b. Defendants' reply briefs at D.I. 183, 191, 194, 195.
 - c. Ingeniador sur-reply brief at D.I. 211.

These motions present numerous overlapping issues for this Court, many of which have been obscured by Ingeniador's briefing. In order to have an opportunity to address the Court on these issues, and in order to minimize the risk of prejudice that may otherwise occur, Defendants respectfully request that this Court hear oral argument on the above referenced Motions.

The Defendants have conferred among themselves in an attempt to coordinate proposed dates for such a hearing. In order to allow all interested Defendants to be present (avoiding pre-existing conflicts with cases pending in other districts), and to allow this Court to hear all four pending motion categories at once, the Defendants have collectively identified April 10, 2012 as a date for which all Defendants' counsel are available. The Defendants will, of course, make every effort to coordinate, and would appear on any earlier or later date this Court may choose should it determine that a different date is more convenient.

Accordingly, Defendants respectfully request that this Court grant this Request for Oral Argument, and schedule hearing on the above referenced Motions.

RESPECTFULLY SUBMITTED

It is certified that on this same date, a true copy of the foregoing was filed through the Court's CM/ECF system, which will generate a notice to all CM/ECF participants in this case.

In San Juan, Puerto Rico, this 14th day of February, 2012.

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